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GAU 1651

PATENT

TECH CENTER 1600/200 Attorney Docket No.: A-68287/DJB/RMS/DAV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LUO et al.

Serial No. 09/420,092

Filed: October 18, 1999

For: CELL CYCLE PROTEINS
ASSOCIATED WITH PCNA,
COMPOSITIONS AND
METHODS OF USE

Examiner: M. Flood

Art Unit: 1651

7/Elec
6/30/00CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on:

Dated: June 9, 2000Signed: Jere Velles

Jere Velles

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents

Washington, D. C. 20231

Sir:

This is in response to the Restriction Requirement (Paper No. 4) mailed May 9, 2000 for which the due date for response is June 9, 2000.

The Commissioner is authorized to charge any additional fees, including extension fees, which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-68287/DJB/RMS/DAV).

Please consider this response filed as authorized under the provisions of 37 C.F.R. § 1.34(a).

Serial No.: 09/420,092
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TECH CENTER 1600/2900

In response to the outstanding Restriction Requirement in this application, Applicants elect for further prosecution of the claim of Group I, namely Claim 1, drawn to a method for screening a bioactive agent capable of binding to a cell cycle protein R0101. This election is made with traverse. In particular, Applicants submit that it is unreasonable to divide an application which only has 9 claims into 5 different prosecutions. Moreover, Applicants submit that it would not be an undue burden to the Examiner to consider at least one of group along with the elected Group 1, particularly considering that Group 1 only contains one claim. If the Examiner does not wish to consider at least one other group at this time, Applicants request that the Examiner revisit this issue during prosecution.

The Examiner is invited to contact the undersigned at (415) 781-1989 if any issues may be resolved in that manner.

Respectfully submitted,

FLEHR HOHBACH TEST
ALBRITTON & HERBERT LLP

Dated: 6-9-00

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